

Alexander Finance C.D. Inc v. Sirotsky, et al
U.S. District Court, Eastern District of PA, No 02-CV-4977

BILL OF PARTICULARS WITH EXHIBITS SHOWING CONSPIRACY OF
GENE BURP, ANDREW CHAROFF AND EUGENE URITSKY

		DESCRIPTIONS of ALLEGATIONS
No	DATE	Burd, Charoff and Uritsky conspired to control finances of Alexander Finance C.D. Inc and Alexander Holding LLC.
1.1	6/08/1998	Documents: Account resolution and business account signature card with Burd, Charoff, Uritsky,
1.4		G. Burd, Esquire is Escrow Agent for \$100,000.00.
		Escrow account of \$100,000 of Alexander Finance C.D. Inc., with Gene Burd, Esquire of Marks LLC.
		Documents: Bank Confirmation Documents.
1.5	8/8/2001	A. Sirotsky made multiple requests for Special Meeting of Board of Directors.
	10/12/2001	A. Sirotsky made written directives disallowed any bank's transactions until the Special Meeting of the Board of Directors is granted.
	11/24/2001	Documents: Two (2) Letters from Sirotsky to Burd, Charoff, Uritsky and Roitshtein.
1.6		A. Sirotsky made Multiple Requests for Special Meeting of Board of Directors regarding exercising of option to repurchase interest of E. Uritsky in Alexander Finance, C.D. and Alexander Holding, LLC.
	10/24/2001	Documents: Letters from Sirotsky to Burd, Charoff, Uritsky. Correspondences regarding repurchase by Uritsky from Sirotsky of 50 shares of Alexander Finance C.D. and 16 2/3 % member interest in Alexander Holding LLC
	1 October 2001	
	10/18/2001	
	01	
1.7	10/24/2001	Burd conspired with Charoff and Uritsky to defraud Sirotsky. Sirotsky's shares in Alexander Finance, C.D. and Alexander Holding, LLC., was unlawfully transferred to E. Uritsky.
	01	

Sirotovsky never received and was not notified of document dated 10/18/2001 until receiving discovery from G. Burd in August 2002.

Documents: Letter from Burd to Uritsky:

RE: Confirmation Transfer of Membership of Alexander Holding LLC.

Letter from Sirotovsky to Burd, Charoff, Uritsky.

Burd purposefully inserted wrong info in the Minutes of Special Meeting of the Board of Directors at November 7,2001.

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List of Points against G.Burd

11/07/200 Documents: Special Meeting Members and officers of Alexander Holding LLC
 111/09/2 DOC: Minutes of Meeting at Nov.7, 2001 prepared by Gene Burd.
 001
 12/01/20 Letters from Sirotovsky to Burd.
 01 RE: Short Objections Minutes of Special Meeting of Board of Directors at
 November 7, 2001 prepared by G. Burd, constituting Burd's lies and fraud.

Letter from Sirotovsky to Burd.
 RE: Sirotovsky's objections to the Minutes of the Special Meeting at
 November 7, 2001 prepared by Burd and explanation of the real situation at that
 Meeting.

1.9 11/10/2001 Attempted Murder and Aggravated Assault by Andrew Charoff to Arkady
 Sirotovsky at the Office Building of Alexander Holding

DOC: Reports from Frankford Torredale Hospital
 - Report from Criminal Court
 - Photo picture of A. Sirotovsky's traumas after assault by Charoff

**NOTE: During the time of assault by Charoff, G. Burd and E. Uritsky were in
 the office of Alexander Finance C.D. Inc. G. Burd did not attempt to offer any
 assistance or first aid to A. Sirotovsky in connection to the attempted murder
 or injury.**

**- Aleksey Zdorovets, maintenance worker is an eye witness
 - Charoff was hidden from police from Nov, 10 till Nov. 20,2001**

1.10 **Burd, Charoff and Uritsky were involved in a conspiracy through preparation
 of false and backdated Unanimous Consent and Minutes of the Meeting.
 Sirotovsky was never invited or notified of this Meeting and did not receive
 this document until receiving discovery documents from G. Burd on August
 2002.**

11/13/2001 Documents: Minutes of Special Meeting of Board of Directors of
 Alexander Finance C.D. Inc.
 RE: Transfer of 50 shares from Sirotovsky to Uritsky effective as of October
 15, 2001, removed position termination of Sirotovsky's job with Unanimous
 Consent.

1.13 **Secret Letters from Charoff and Uritsky to G. Burd directing immediately
 closing the escrow account and transferring \$100,000 to Alexander Finance
 C.D. without authority of Sirotovsky.**

11/14/20 Note: Sirotovsky was never notified and never received these document until
 0111/16/ receiving discovery documents from G. Burd at August 2002

2001 Documents: Letter from Sirotovsky to Burd

RE: Sirotovsky's Ordering - Not to release \$100,000 from Burd's Escrow Account

until final resolution of the matter in a Board Meeting, also reminding

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List of Points against G.Burd

Burd of the connection between the \$100,000 and the Attempted Murder by Charoff to Sirotofsky on November 10, 2001.

1.14 **Transactions made by Burd, Charoff and Uritsky in connection with the conspiracy made immediately after the Assault on November 10, 2001 for personal matters, implement for convert company's fund.**

1/16/2001 Documents: Selected Bank Statements and Checks of New Account
2000003119637 of Alexander Finance C.D. Inc:

\$100,000 from Marks& Sokolov - Return Escrow funds with Burd
\$15,000 to Marks & Sokolov (for G.Burd, retainer) \$10,000 to
Charles Peruto (criminal lawyer for Charoff) \$ 5,000 - cash for
Charoff \$ 1,700 - AMEX Card (personal expense Charoff and
Uritsky)

1/29/2001 Documents: Selected Bank Statements and Checks of New Account
2000003119640 of Alexander Holding LLC:
\$12,945 to Karagodsky & Associates, Inc.

1.16 **G. Burd sent to Sirotofsky incomplete Corporate Book excluding many important documents, such as, secret Minutes of the Meeting and secret letter to Charoff and Uritsky.**

11/14/2001 Documents: Letter from Burd to Sirotofsky with enclosed copies of Corporate Books of:
Alexander Finance C.D, Inc., Alexander Holding LLC, Commerce Way, Inc, as of
November 11, 2001 and received by Sitorovsky on November 29,2001:

Conspiracy between Burd, Charoff and Uritsky in defrauding Sirotofsky of ownership in Alexander Holding, LLC.

1.17 Sirotofsky was never notified and never received a List of Members and Percentages, dated 10/17/2001, until receiving copies of Corporate Book from G. Burd on November 29, 2001.

11/14/2001 Documents: Amended Exhibit A as October 17, 2001 of Operating Agreement of Alexander Holding LLC.
RE: List of members and Percentage.
Charoff, Uritsky and Sirotofsky x 33 1/3 % members.

1.19 **Conspiracy between Burd, Charoff and Uritsky to defraud A. Sirotofsky and his family.**

11/16/2001

During 3 days after assault on Sirotovsky, Charof and Uritsky, and Burd canceled Sirotovsky's medical health insurance and terminated employment in order to create more harm for Sirotovsky and Sirotovsky's family.

Documents: Letter from Charoff to Sirotovsky.

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RE: Termination Sirotovsky's employment of Alexander Finance from Nov/13/2001. CERTIFIED MAIL received just 11/17/01

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|------|--|--|
| 1.20 | 12/01/2001 | <p>Letter from Sirotovsky to Charoff, Uritsky</p> <p>RE: About Charoff Attempted to Sirotovsky at November 10, 2001.
Sirotovsky not agree with termination employment.
Charoff violate civil, criminal and corporation Laws</p> |
| 1.21 | Decemb
er 2001 | <p>Letters requesting from Sirotovsky to Burd.
Dated: 11/13/01, 11/25/01, 12/05/01, 12/11/01,12/14/01, 12/21/01</p> <p><u>RE: Sirotovsky's Multiple Unanswered Requests for full Accounting of Corporate Books and Records from G. Burd</u>
Julia Karagodsky - Draft preparations documents for change
Income Tax 1998, 1999, 2000 years.
Correspondence Karagodsky with Charoff and Uritsky.</p> <p>NOTE: Julia Karagodsky, CPA made Fraudulent attempted/conspired to make changes to corporate Income Tax documents for previous years, in order to receive an income tax returns. Julia Karagodsky attempted to engage in fraudulent accountant service & consulting, including conspiracy with Charof, Uritsky and G.Burd.</p> <hr/> <hr/> |
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| 1.28 | 1999 | <p>Conspiracy between Burd, Charoff and Uritsky.</p> <p>G. Burd's had a right of business signature account card and right to manage the finance of Alexander Finance C.D. Inc.</p> <p>Documents: Credit Suisse Bank - Zurich, Switzerland correspondence, and statements.</p> <hr/> <hr/> |
| 1.48 | 2002 | <p>Interbay Funding LLC - mortgage \$1,530,000</p> <p>DOC: Notices of defaults and late payments of Mortgage</p> <p>Notes: G. Burd did not notify and hide from Sirotovsky numerous notices and other info from Interbay Funding LLC, about default and notices of <u>late payments on the mortgage on the building of Alexander Holding LLC.</u> Burd, Charoff, and Uritsky engaged in conspiracy to defraud the business partners and creditors of Alexander Finance C.D. Inc.</p> <hr/> <hr/> |
| 2.4 | 1996-2002 | |
| 2.7 | 1997-1999 | <p>Burd and Charoff were involved in a conspiracy to defraud the owners of</p> |

Alexander Finance C.D. Inc., consisting of making salary payments to N. Charoff, a ghost employee.

Burd suggested Charoff to pay salary to N. Charoff in order to collect SSI benefits in the future, effectively defrauding the INS by receiving legal residency status in the U.S.

Documents: List of payments from Alexander Finance Inc., to N. Charoff a/k/a

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N. Vinogradov.
Canceled checks, and other documents.

- 2.8 1998-2000 **Burd, Charof and Uritsky were involved in a conspiracy to defraud the owners of Alexander Finance C.D. Inc., consisting of making salary payments to B. Vinogradov, (father in law of Andrew Charoff), a ghost employee.**

Documents: List of payments of Alexander Finance C.D.Inc
Selected Canceled checks, wires, Mix documents.

- 2.9 6/06/1998 **Burd and Charoff were involved in a conspiracy to defraud the owners of Alexander Finance C.D. Inc., by making payments to the INS for Z. Vinogradov (mother in law of Andrew Charoff) from the accounts of Alexander Finance C.D. Inc.**

DOC: Selected Canceled checks of Alexander Finance C.D. Inc

- 2.10 1997-2000 Charoff's - Immigration and Naturalization Expenses

DOC: Selected Canceled checks of Alexander Finance C.D. Inc.

NOTES: Charoff and Burd engaged in conspiracy to defraud the owners of Alexander Finance C.D. Inc., by making payments to the INS for family members of Charoff.

- 3.1 6/10/1996 Alexander Finance, Inc - (Urisky's privet company)

DOC: Bank business signature card with signature of E. Urisky as president and Gene M. Burd, as V. P. operations.

NOTES: Starting in 1996, Burd and Urisky had engaged in conspiracy in connection with the company of Alexander Finance. This was done, in part, with the intention of using A. Sirotovsky's name to increase the activity in coal and mine equipment business, as well as, increase the cash flow and credits for Alexander Finance, and later defraud these creditors, and the owners of Alexander Finance C.D. Inc.

4.1 1997-2000 **Burd's used different titles on behalf Alexander Finance C.D., Inc and Alexander Holding LLC.**

4.2 1996-1998 **Burd's involvement in conspiracy in connections with the use of a Second Name and use of different job title by Charoff and Uritsky at corporations with correspondences to Business Partners.**

DOC: Selected correspondences, letters of sales offers of Alexander Finance C,D. Inc

Payments from Alexander Finance to Gene Burd in three different names,

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4.4 1996-2001

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such as: Gene Burd, Gene Burd Esquire, and Meridian USA (private company of G. Burd) in the total of \$470,000.00.

Documents: List of payments. Selected canceled companies checks and wire transfers.

4.5 2001-2004

Gene Burd, Esquire had a conflict of interest in the legal representations of companies.

Bad face for the "Lawyer's status"

NOTES:

1. G. Burd had a conflict of interest, because he represented both parties: Alexander Holding LLC as landlord, and New Wave Resources as tenant of a building owned of Alexander Holding LLC.

2. G. Burd had conflict of interest in the legal representations of Alexander Finance C.D. Inc, Alexander Holding LLC in the RICO case as personal counter defendant of this case.

4.6 1998-2000

RE: In the beginning of 1998 and after, Gene Burd had a conspiracy with Uritsky and Charoff where they lied and committed fraud with business partners, vendors, and customers. Such fraud as was committed includes vendors and customers who gave on a commission basis coal, mine equipment, and other goods. Afterwards, Alexander Finance sold such things to the open market and did not return money to vendors. After that Vendors opened international court in commercial arbitration. After, Burd and others forced Vendors to take a settlement for not convient terms with minimal payments. After that Alexander Finance had a bad reputation on the international market, lost connections with business partners, and in 2000 lost the business and business activates.

Such cases had been regarding:

1. Glencore v. Alexander Finance CD INC

RE: On July 9, 1999, Gene Burd on behalf of Alexander Finance CD., INC. had signed the contract with Glencore AG for the supply of 15,000 Metric tons of coal. Glencore, the buyer, had made a prepayment of 90% for the purchase of coal. Alexander Finance had not supplied all quality of coal in amount of \$86,627.64.

Glencore Claimant claims damage under contract number 028.99.27473-P and 028.99.27559-P, Interest pursuant to s.49 of the Arbitration Act 1996 and cost.

2. On 2000, MHG the buyer, case: Nakilyat Ve Ticaret Ltd. Sti. v. Alexander

Finance C.D. Inc. pending in the United States District Court for the Eastern District of Pennsylvania, Civil Action.

RE: On 1999, MHG Turkish company, had made a prepayment of 90% for

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